

IN THE CLAIMS:

Please cancel claims 17-19, 21, 22, and 29-33 without prejudice.

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31. (Cancelled)

32. (Cancelled)

33. (Cancelled)

34. (New) A drug delivery device, comprising:

a substantially hollow, rigid container, said container being sized and adapted for insertion into a tissue or organ *in vivo* to within about 1 millimeter of a desired position within the tissue or organ, said container including

one or more openings therein, said openings being sized and arranged to provide for the controlled diffusion of a therapeutic agent out of said container, the therapeutic agent comprising a nucleic acid sequence, protein, or polypeptide.

35. (New) The drug delivery device of claim 34, wherein the container has a uniform cross-sectional area along a longitudinal axis.

36. (New) The drug delivery device of claim 34, wherein said container is formed of a metal.

37. (New) The drug delivery device of claim 36, wherein the metal is titanium.

38. (New) The drug delivery device of claim 34, wherein said container is formed of a biocompatible plastic.

39. (New) The drug delivery device of claim 34, wherein said openings are round holes.

40. (New) The drug delivery device of claim 34, wherein said openings have a shape selected from the group consisting of rectangular, square, spherical and oblong.

41. (New) The drug delivery device of claim 34, wherein said container is substantially cylindrical in shape.

42. (New) The drug delivery device of claim 41, wherein said openings are provided at respective ends of said cylindrical container.

43. (New) The drug delivery device of claim 42, wherein said container has a length in the range of 0.002 to 3 inches, a diameter in the range of 0.004 to 4 inches, and a wall thickness in the range of 0.0005 to 0.5 inches.

44. (New) The drug delivery device of claim 43, wherein said openings are round holes having an average diameter in the range of 0.002 to 0.2 inches.

45. (New) The drug delivery device of claim 34, wherein said container has an elongate shape with a varying width.

46. (New) The drug delivery device of claim 34, said container further comprising a degradable coating provided on at least a portion of an exterior surface thereof, said coating being adapted to delay controlled diffusion of the therapeutic agent until said container is in the desired position within the tissue or organ.

47. (New) The drug delivery device of claim 46, wherein said degradable coating is comprised of a polymer or combination of polymers selected from the group consisting of polydextran, polyvinylpyrrolidone, and poly(bis(p-carboxyphenoxy)-propane).

48. (New) The drug delivery device of claim 46, wherein said degradable coating is comprised of a biopolymer.

49. (New) The drug delivery device of claim 48, wherein said biopolymer is selected from the group consisting of gelatin, human serum albumin, and cellulose.

50. (New) The drug delivery device of claim 34, wherein the therapeutic agent further-comprises, further-comprising a radionuclide.

51. (New) A drug delivery system, comprising:
a (substantially hollow, rigid container, said container being sized for insertion into a tissue or organ *in vivo* to within about 1 millimeter of a desired position within the tissue or organ, said container including

one or more openings therein, said openings being sized and arranged to provide for the controlled diffusion of a therapeutic agent out of said container, the therapeutic agent comprising a nucleic acid sequence, protein, or polypeptide; and

a storage cartridge having one or more compartments, each of said one or more compartments being constructed and arranged to house one or more of said containers, said storage cartridge being capable of withstanding freezing to a temperature of about -70°C.

52. (New) The drug delivery device of claim 51, wherein the container has a uniform cross-sectional area along a longitudinal axis.

53. (New) The drug delivery system of claim 51, wherein said storage cartridge comprises a metal block.

54. (New) The drug delivery system of claim 53, wherein said storage cartridge comprises a rectangular metal block.

55. (New) The drug delivery system of claim 53, wherein each of said one or more compartments is a hole through a portion of said metal block.

56. (New) The drug delivery system of claim 51, wherein said container is formed of a metal.

57. (New) The drug delivery system of claim 56, wherein the metal is titanium.

58. (New) The drug delivery system of claim 51, wherein said container is formed of a biocompatible plastic.

59. (New) The drug delivery system of claim 51, wherein said openings are round holes.

60. (New) The drug delivery system of claim 51, wherein said openings have a shape selected from the group consisting of rectangular, square, spherical and oblong.

61. (New) The drug delivery system of claim 51, wherein said container is substantially cylindrical in shape.

62. (New) The drug delivery system of claim 61, wherein said openings are provided at respective ends of said cylindrical container.

63. (New) The drug delivery system of claim 62, wherein said container has a length in the range of 0.002 to 3 inches, a diameter in the range of 0.004 to 4 inches, and a wall thickness in the range of 0.0005 to 0.5 inches.

64. (New) The drug delivery system of claim 63, wherein said openings are round holes having an average diameter in the range of 0.002 to 0.2 inches.

65. (New) The drug delivery system of claim 51, wherein said container has an elongate shape with a varying width.

66. (New) The drug delivery system of claim 51, said container further comprising a degradable coating provided on at least a portion of an exterior surface thereof, said coating being adapted to delay diffusion of the therapeutic agent until said container is in the desired position within the tissue or organ.

67. (New) The drug delivery system of claim 66, wherein said degradable coating is comprised of a polymer or combination of polymers selected from the group consisting of polydextran, polyvinylpyrrolidone, and poly(bis(p-carboxyphenoxy)-propane).

68. (New) The drug delivery system of claim 66, wherein said degradable coating is comprised of a biopolymer.

69. (New) The drug delivery system of claim 68, wherein said biopolymer is selected from the group consisting of gelatin, human serum albumin, and cellulose.

70. (New) The drug delivery system of claim 51, wherein the therapeutic agent further comprises a radionuclide.
